

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff,

Plaintiff,

v.

NOMURA INTERNATIONAL PLC,

Defendant.

Adv. Pro. No. 10-05348 (CGM)

**ORDER DENYING NOMURA INTERNATIONAL PLC'S MOTION TO
DISMISS THE SECOND AMENDED COMPLAINT**

Defendant Nomura International plc ("Defendant") filed a motion to dismiss the Second Amended Complaint under Bankruptcy Rule 7012 and Federal Rule of Civil Procedure 12(b)(2) (the "Motion") on August 26, 2022. The parties stipulated to rest on their papers and waive oral argument on the Motion on January 27, 2023. The Court has considered the Motion, the papers

filed in support of and in opposition to the Motion, and the Second Amended Complaint. The Court issued a memorandum decision, dated April 19, 2023, regarding the Motion (the “Decision”). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to Dismiss the Second Amended Complaint is denied.
2. The deadline for Defendant to file an answer to the Second Amended Complaint is June 19, 2023.
3. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: April 25, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge